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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yasuhiro UEKI

Serial No. 10/714,864

Filed: November 18, 2003

For: Information-Signal Recording  
And Reproducing Apparatus,  
Related Method, And Related  
Computer Program

Art Unit: 2627

Examiner: Haley, Joseph R.

Atty Docket: 0124/0019

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated December 12, 2006 in which the examiner rejected claims 1-3 under 35 U.S.C. 103(a) as being unpatentable over Ueki (US 6285632) in view of Florczak et al. (US 5640382).

In regard to claim 1, the Examiner alleges as follows. Ueki teaches that the parameters in the given relation include (c) a time interval taken by the head to move its focus from the first signal recording layer to the second signal recording layer, and (d) a time interval taken by the head to move its focus from the second signal recording layer to the first signal recording layer.

It is respectfully submitted that the Examiner's allegation is wrong since Ueki relates to an apparatus designed for a recording medium having only one recording layer. The applicant emphasizes that Ueki does not teach the claimed parameters including (c) a time interval taken by the head to move its focus from the first signal recording layer to the second signal recording layer, and (d) a time interval taken by the

head to move its focus from the second signal recording layer to the first signal recording layer.

So, too, Florczak et al. also fail to teach that the parameters in the given relation include (c) a time interval taken by the head to move its focus from the first signal recording layer to the second signal recording layer, and (d) a time interval taken by the head to move its focus from the second signal recording layer to the first signal recording layer.

Therefore, it is respectfully submitted that claim 1 is patentable over Ueki and Florczak et al.

The examiner's attention is respectfully directed to the fact that a time interval taken by the head to move its focus from the first signal recording layer to the second signal recording layer, and a time interval taken by the head to move its focus from the second signal recording layer to the first signal recording layer are called time intervals taken by "focus jumps" between different recording layers.

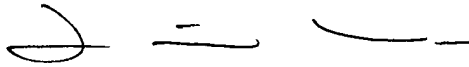
Figs. 27 and 28, and the specification, page 102, line 24 to page 105, line 19 in the present application show the effect of such focus jumps on seek time intervals. Consideration of time intervals taken by focus jumps as stated in claim 1 allows efficient and reliable recording and reproduction of information on and from a recording medium. In this regard, the method in claim 1 is advantageous over those in Ueki and Florczak et al.

It is therefore further submitted that claim 1 is patentable over Ueki and Florczak et al.

It is respectfully submitted that claims 2 and 3 are likewise patentable over Ueki and Florczak et al for reasons similar to those discussed above.

In view of the foregoing, the examiner is respectfully requested to reconsider the application and pass the same to issue at an early date.

Respectfully submitted,



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